

104TH CONGRESS
1ST SESSION

H. R. 67

To extend the conservation reserve program for 10 years and the wetlands reserve program for 5 years to protect vulnerable soil and water resources by facilitating the transition of our Nation's most environmentally sensitive land to conservation uses by enabling farmers to meet conservation compliance requirements through the early withdrawal, modification, re-enrollment, or enrollment of lands in the conservation reserve; to best achieve such conservation purposes with sharply limited resources by permitting the Secretary of Agriculture to negotiate reduced annual rental payments in exchange for granting farmers increased flexibility to withdraw, enroll, or re-enroll parts of land parcels in the conservation reserve program and for permitting limited uses on lands enrolled in the conservation reserve, to permit the transfer of crop bases among owners upon the expiration of enrollment; and to authorize the establishment of demonstration projects.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. BEREUTER introduced the following bill; which was referred to the
Committee on Agriculture

A BILL

To extend the conservation reserve program for 10 years and the wetlands reserve program for 5 years to protect vulnerable soil and water resources by facilitating the transition of our Nation's most environmentally sensitive land to conservation uses by enabling farmers to meet conservation compliance requirements through the early withdrawal, modification, re-enrollment, or enrollment of lands in the conservation reserve; to best achieve such

conservation purposes with sharply limited resources by permitting the Secretary of Agriculture to negotiate reduced annual rental payments in exchange for granting farmers increased flexibility to withdraw, enroll, or re-enroll parts of land parcels in the conservation reserve program and for permitting limited uses on lands enrolled in the conservation reserve, to permit the transfer of crop bases among owners upon the expiration of enrollment; and to authorize the establishment of demonstration projects.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Conservation Reserve
 5 Program Reform Act of 1995”.

6 **SEC. 2. EXTENSION OF ENVIRONMENTAL CONSERVATION**
 7 **ACREAGE RESERVE PROGRAM.**

8 (a) IN GENERAL.—The following provisions of the
 9 Food Security Act of 1985 are each amended by striking
 10 “1995” and inserting “2005”:

11 (1) Section 1230(a) (16 U.S.C. 3830(a)).

12 (2) Section 1231(a) (16 U.S.C. 3831(a)).

13 (3) Section 1231(b)(3) (16 U.S.C. 3831(b)(3)).

14 (4) The first sentence of section 1231(d) (16
 15 U.S.C. 3831(d)).

16 (5) Section 1232(c) (16 U.S.C. 3832(c)).

1 (6) Section 1238B(a)(1) (16 U.S.C.
2 3838b(a)(1)).

3 (7) Section 1238B(a)(2) (16 U.S.C.
4 3838b(a)(2)).

5 (8) Section 1238B(a)(11) (16 U.S.C.
6 3838b(a)(2)).

7 (9) Section 1239(a) (16 U.S.C. 3839(a)).

8 (b) WETLANDS RESERVE PROGRAM.—Section
9 1237(c) of such Act (16 U.S.C. 3837(c)) is amended by
10 striking “2000” and inserting “2005”.

11 **SEC. 3. AUTHORITY TO MODIFY OR EXTEND CONTRACTS.**

12 (a) IN GENERAL.—Subchapter B of chapter 1 of sub-
13 title D of title XII of the Food Security Act of 1985 (16
14 U.S.C. 3831–3836) is amended by inserting after section
15 1235A the following:

16 **“SEC. 1235B. CONVERSION OF LAND SUBJECT TO CON-**
17 **TRACT TO OTHER USES.**

18 “(a) IN GENERAL.—Prior to or upon the expiration
19 of a contract entered into under this subchapter with re-
20 spect to environmentally sensitive land (as defined by the
21 State conservation review committee established under
22 section 1261 in the State in which the land is located,
23 or until such committee is formed, the State technical
24 working group), the Secretary shall extend the duration
25 of the contract, or modify the terms of the contract, in

1 accordance with this section. The Secretary shall place a
2 priority on extending or modifying under this section con-
3 tracts entered into under this subchapter in such a way
4 as to enable owners and operators to comply with the ap-
5 plicable plan referred to in section 1232(a)(1).

6 “(b) OPTIONS FOR OWNERS AND OPERATORS.—The
7 Secretary shall permit an owner or operator who has en-
8 tered into a contract under this subchapter that is in effect
9 on the date of the enactment of this section—

10 “(1) before the expiration of the contract, to re-
11 move land (including partial fields) from enrollment
12 in the conservation reserve established under this
13 subchapter if—

14 “(A) the land is not highly erodible crop-
15 land;

16 “(B) the Soil Conservation Service has
17 classified the land as class I, II, III(s), III(w),
18 or III(c), and the land is covered by a conserva-
19 tion plan approved by the local conservation
20 district (or, if the land is not within a conserva-
21 tion district, a plan approved by the Secretary)
22 that limits the soil erosion to such land to not
23 more than the soil loss tolerance level referred
24 to in section 1201(a)(7)(A)(ii); or

1 “(C) the land is replaced by land of the
2 same owner that, according to the local con-
3 servation district or the Secretary, is more envi-
4 ronmentally sensitive;

5 “(2) before the expiration of the contract, to re-
6 enroll in the reserve for not more than 10 years por-
7 tions of land enrolled in the reserve if—

8 “(A) the land will remain planted to per-
9 manent cover and devoted to filter strips, field
10 borders, waterways, terraces, wildlife corridors,
11 well-head protection; buffer strips adjacent to
12 rivers, streams, lakes, wetlands, water retention
13 structures, or any other conservation purpose
14 that the Secretary deems appropriate; and

15 “(B) future production on the re-enrolled
16 land will not contribute to erosion in excess of
17 the soil loss tolerance level referred to in section
18 1201(a)(7)(A)(ii);

19 “(3) before the expiration of the contract, to
20 enter into negotiations with the Secretary to receive
21 reduced annual rental payments in exchange for per-
22 mission to allow limited uses (as defined by the
23 State conservation review committee established
24 under section 1261 in the State in which the land
25 is located, or until such committee is formed, the

1 State technical working group) on enrolled land, in-
2 cluding haying, grazing, seed production, production
3 of bio-mass, timber, or such other uses as the Sec-
4 retary may deem appropriate; or

5 “(4) upon expiration of the contract, to retain
6 or transfer cropland bases, with respect to crops for
7 which there is a production adjustment program, to
8 other lands, as long as enrolled croplands remain in
9 permanent cover.

10 “(c) LIMITATION ON ANNUAL RENTAL PAYMENT
11 FOR RE-ENROLLED LAND OR LAND PERMITTED TO BE
12 DEVOTED TO LIMITED USES.—Annual rental payments
13 made under this subchapter with respect to land that is
14 the subject of an agreement entered into pursuant to para-
15 graph (2) or (3) of subsection (b) shall not exceed an
16 amount equal to 80 percent of the annual rental payment
17 made under this subchapter with respect to the land for
18 the 12-month period ending on the date the agreement
19 takes effect.”.

20 (b) CONFORMING AMENDMENT.—Section 1232(a)(7)
21 of such Act (16 U.S.C. 3832(a)(7)) is amended by insert-
22 ing “except to the extent authorized under section
23 1235B,” after “(7)”.

1 (c) STATE CONSERVATION REVIEW COMMITTEES.—
 2 Subtitle G of title XII of the Food Security Act of 1985
 3 (16 U.S.C. 3861–3862) is amended—

4 (1) in the subtitle heading, by striking
 5 “**TECHNICAL**” and inserting “**CONSERVA-**
 6 **TION REVIEW**”;

7 (2) by striking “technical committee” each
 8 place such term appears and inserting “conservation
 9 review committee”; and

10 (3) in section 1261(c)—

11 (A) by amending paragraph (2) to read as
 12 follows:

13 “(2) the State committee appointed under sec-
 14 tion 8(b)(5)(A) of the Soil Conservation and Domes-
 15 tic Allotment Act;”;

16 (B) by amending paragraph (5) to read as
 17 follows:

18 “(5) 3 agricultural producers nominated by the
 19 State committee referred to in paragraph (2);”.

20 **SEC. 4. DEMONSTRATION PROJECTS.**

21 (a) GRANT AUTHORITY.—

22 (1) IN GENERAL.—The Secretary of Agriculture
 23 may make grants to producers of agricultural com-
 24 modities to retain land in the conservation reserve
 25 established under subchapter B of chapter 1 of sub-

1 title D of title XII of the Food Security Act of 1985,
2 or to enroll land in the reserve, for the purpose of
3 enabling the owner of the land to grow grass or raise
4 legumes (or do both) on such land, in rotation, as
5 approved by the State conservation review committee
6 established under section 1261 of such Act in the
7 State in which the land is located or until such com-
8 mittee is formed, the State technical working group.

9 (2) NUMBER OF SITES.—The Secretary may
10 not select more than 3 sites in each State with re-
11 spect to which grants are to be made under para-
12 graph (1).

13 (b) EVALUATION.—Not later than 3 years after the
14 first grant is made under subsection (a), the Secretary
15 shall evaluate the economic and environmental effects of
16 the uses to which grants under subsection (a) have been
17 put, and shall submit to the Congress a report that con-
18 tains the findings of the Secretary.

19 (c) LIMITATIONS ON AUTHORIZATION OF APPRO-
20 PRIATIONS.—For grants under subsection (a), there are
21 authorized to be appropriated to the Secretary not more
22 than \$500,000 for each of fiscal years 1996, 1997, and
23 1998.

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